

Exhibit D

CONFIDENTIAL

[To be filed under seal]

From: Richard Fogle <Richard.Fogle@mygrande.com>
Sent: Thursday, April 11, 2013 12:23 PM
To: Roberto Chang; Robert Creel
Cc: Lars Christianson; Jimmy Quigley
Subject: DMCA notices

Roberto, Robby,

We currently send out DMCA notifications through mail for what we take in with our abuse system. However, there are no limits here – we have some customers that are up to their 54th notice. Understand that the DMCA law requires us to expeditiously notify customers and we can't have knowledge of the content being shared, but there is no 'three strikes' law or anything that we follow like some ISPs. Also, we don't have any verbiage here other than '... may terminate the Service at any time...' in our residential AUP policy.

Question – we have users who are racking up DMCA take down requests and no process for remedy in place. I don't know if I'm seeing a broken process or compliance with the letter of the law. Do you guys have insight or knowledge on this?

Regards,

Rich

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